

Message Text

CONFIDENTIAL

PAGE 01 TRIPOL 00594 01 OF 03 071459 Z

50

ACTION AF-18

INFO OCT-01 EUR-25 ADP-00 SSO-00 INRE-00 NSCE-00 CIAE-00

DODE-00 PM-09 H-02 INR-10 L-03 NSAE-00 NSC-10 PA-03

RSC-01 PRS-01 SS-15 PER-05 SY-10 M-03 A-01 PPT-02

SCA-01 USIE-00 OC-06 CCO-00 CPR-02 VO-03 RSR-01 /132 W
----- 125135

O P 071409 Z MAY 73

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC IMMEDIATE 0033

INFO AMEMBASSY PARIS PRIORITY

AMEMBASSY TUNIS PRIORITY

USMISSION NATO PRIORITY

AMEMBASSY VALLETTA PRIORITY

C O N F I D E N T I A L SECTION 1 OF 3 TRIPOLI 0594

DEPARTMENT PASS OTHER POSTS AS DESIRED

E. O. 11652: GDS

TAGS: PFOR CPAS LY US

SUBJECT: PASSPORTS: DENIAL OF ENTRY; ASSAULT ON ADCM

REF: A) TRIPOLI 0583 (NOTAL); B) TRIPOLI 0585;

C) TRIPOLI 0590

SUMMARY: AS RESULT FRACAS AT TRIPOLI INTERNATIONAL
AIRPORT (TIA) MAY 6 DURING WHICH LAR AUTHORITIES FOR
THIRD TIME DENIED ENTRY TO SECOND SECRETARY COUNTRYMAN,
LIBYAN MILITARY POLICE, ON ORDERS FROM "FREE OFFICER"
SHU' AYB, USED VIOLENCE TO FORCE ADCM MARTHINSEN TO BOARD
DEPARTING AIRCRAFT WITH APPARENT AIM EXPELLING HIM.
ADCM, UNDER DETENTION FOR PERIOD OF ABOUT TWO HOURS,
WAS RELEASED, RETURNED TO TRIPOLI. WE ARE PROTESTING
DENIAL OF ENTRY AND ASSAULT. WE BELIEVE LARG HAS,
DE FACTO, DECLARED COUNTRYMAN PERSONA NON GRATA. WE
SUGGEST MAXIMUM EXPLOITATION INCIDENTS INVOLVING TWO
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PAGE 02 TRIPOL 00594 01 OF 03 071459 Z

EMBOFFS TO STIFFEN NATO RESOLVE TO RESIST LARG DEMAND FOR ARABIZATION OF PASSPORTS. WE REQUEST DEPARTMENT'S EVALUATION OUR ACTIONS THUS FAR AND GUIDANCE FOR FUTURE ACTION. END SUMMARY.

1. MAY 6, AFTER STAFF MEETING AT CHANCERY RE TACTICS, ADCM MARTHINSEN, CONSUL HOL M, FSL STALWART BIN SRETI WENT TO TIA TO RECEIVE SECOND SECRETARY COUNTRYMAN ARRIVING FROM PARIS ON UTA 401; SAME PLANE CARRIED FRENCH AMBASSADOR GEORGY, NEWLY ASSIGNED FRENCH DIPLOMAT AND NEWLY- ASSIGNED FRENCH EMBASSY STAFF MEMBER. (CONTRARY REPORT REFTEL A, MME. GEORGY DID NOT REPEAT NOT ARRIVE WITH AMBASSADOR).

2. WHEN PLANE LANDED AT ABOUT 1300 Z, GEORGY WAS WHISKED TO VIP LOUNGE. NEW FRENCH EMBOFF AND STAFF MEMBER, WITH FAMILIES, COUNTRYMAN, AND OTHER PASSENGERS ENTERED TERMINAL VIA REGULAR ARRIVALS AREA TO WHICH MARTHINSEN, HOL, AND BIN SRETI IMMEDIATELY REPAIRED. WE HAD PREVIOUSLY DETERMINED THAT OBJECTIVE WAS TO SECURE COUNTRYMAN'S ENTRY, BUT IF INDICATED TO MAKE CLEAR ANY DISCRIMINATION BETWEEN ACCREDITED, RESIDENT AMERICAN DIPLOMAT AND NEW FRENCH COLLEAGUE.

3. PROLONGED PALAVER BETWEEN FRENCH EMBOFFS (COUNSELORS JEANTELOT, BLANC, AND GUENNEC PLUS OTHERS, INCLUDING EMBOFF D' ARAGON, WERE ON HAND) AND IMMIGRATION AUTHORITIES TOOK PLACE. FSL BIN SRETI ADVISED MARTHINSEN THAT CAPTAIN SULAYMAN SHU' AYB HAD ISSUED ORDER TO ADMIT FRENCH PERSONNEL BUT TO DENY ENTRY TO COUNTRYMAN. MARTHINSEN SOUGHT TO MEET WITH SHU' AYB BUT WAS TURNED AWAY BY GUARD WHO SAID SHU' AYB BUSY IN MEETING THAT COULD LAST THREE, FOUR HOURS. ADCM'S PROTEST TO GUARD THAT HENEEEDED TO SEE SHU' AYB URGENTLY HAVING NO EFFECT, ADCM TOLD GUARD TO INFORM SHU' AYB THAT ADCM COULD ONLY CONCLUDE SHU' AYB REFUSED TO SEE HIM. ADCM THEN REPORTED DEVELOPMENTS BY PHONE TO CHARGE WHO ADVISED THAT HE WOULD REQUEST URGENT INTERVENTION OF MFA'S BA' BA' WHO EARLIER ASSURED HIM THERE WOULD BE " NO PROBLEM" RE COUNTRYMAN ENTRY. (SEE REFTEL A).

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PAGE 03 TRIPOL 00594 01 OF 03 071459 Z

4. RETURNING TO IMMIGRATION AREA, ADCM LEARNED OFFICER HAD TOLD COUNTRYMAN HE HAD TO LEAVE ON UTA FLIGHT 402 (SAME PLANE AS INCOMING FLIGHT; RETURNS, VIA MALTA, TO PARIS). WHEN MARTHINSEN PROTESTED, OFFICER ESCORTED HIM TO SHU' AYB'S OFFICE. FRENCH COUNSELOR BLANC WAS THERE WAITING WHILE SHU' AYB COMPLETED FORMS RELATING TO ENTRY OF NEW FRENCH EMBASSY PERSONNEL. VERBAL DUEL

BETWEEN SHU' AYB AND MARTHINSEN ENSUED ALONG FOLLOWING
LINES:

SHU' AYB: DIPLOMATS NOT EXEMPTED FROM ARABIZATION
OF PASSPORTS: COUNTRYMAN MUST LEAVE.

MARTHINSEN: WERE FRENCH COLLEAGUES EXEMPTED?

HOW COULD THEY ENTER AS NEW OFFICERS WHILE ACCREDITED
DIPLOMAT IS DENIED ENTRY?

SHU' AYB: FRENCH HAVE MISSION IN LAR AS WHOLE WORLD
KNOWS.

MARTHINSEN: COUNTRYMAN HAS MISSION IN LAR, EXIT/ RE- ENTRY
VISA, ID CARD FROM LARG CALLING ON ALL LIBYAN OFFICIALS TO
RENDER AID AND FACILITIES, EXEQUATUR FROM LARG (THIS NOT TRUE,
IN FACT LARG DOES NOT ISSUE EXEQUATURS, BUT SHU' AYB IGNORANT
OF TERM IN ANY EVENT), AND HOME AND EFFECTS IN TRIPOLI. AS
WELL, HE LISTED IN MFA DIPLOMATIC LIST.

SHU' AYB: DIPLOMATS ARE NOT EXEMPTED. COUNTRYMAN MUST
HAVE ARABIZED PASSPORT.

MARTHINSEN: DOES NEWLY ARRIVED FRENCH OFFICER HAVE
ARABIC?

SHU' AYB: DOESN' T MATTER. I HAVE EXEMPTION FOR FRENCH.
WHOLE WORLD KNOWS FRENCH HAVE " MISSION" IN LIBYA.

MARTHINSEN: MFA ADVISES US THAT COUNTRYMAN WILL HAVE
NO PROBLEM; PLEASE CONSULT SUPERIORS AND MFA. WHOM
ARE WE TO BELIEVE?

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PAGE 04 TRIPOL 00594 01 OF 03 071459 Z

SHU' AYB: NO, I WILL NOT CALL. I HAVE CLEAR ORDERS.

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PAGE 01 TRIPOL 00594 02 OF 03 080908 Z

14
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O P 071409 Z MAY 73

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC IMMEDIATE 0034

INFO AMEMBASSY PARIS PRIORITY

AMEMBASSY TUNIS PRIORITY

USMISSION NATO PRIORITY

AMEMBASSY VALLETTA PRIORITY

C O N F I D E N T I A L SECTION 2 OF 3 TRIPOLI 0594

C O R R E C T E D C O P Y (N U M B E R I N G O F P A R A . ' S)

DEPARTMENT PASS OTHER POSTS AS DESIRED

5. ETC. FRUITLESS EXCHANGE PETERED OUT AS SHU' AYB
OSTENTATIOUSLY TURNED TO OTHER PAPER WORK. MEANWHILE
COUNSELOR BLANC HAD LEFT. ADCM ALSO LEFT REMARKING
TO SHU' AYB " WE' LL CONTINUE CONVERSATION LATER." SHU' AYB
GRUNTED, " OK". MARTHINSEN TOUCHED BASE WITH
COUNTRYMAN, HOLM, AND BIN SRETI WHO ALONE REMAINED
IN IMMIGRATION AREA, ALL OF THE OTHER PASSENGERS
HAVING BEEN ADMITTED. ADCM TOLD COUNTRYMAN OF EMBASSY
DECISION THAT HE WAS TO REFUSE TO LEAVE ON UTA PLANE
BECAUSE WE HOPED EITHER DEMARCHES WITH MFA MIGHT HAVE
EFFECT OR, AS A FALLBACK, HIS DEPARTURE MIGHT BE
DELAYED TILL LATER FLIGHT (TO MALTA FROM WHERE HE COULD
PROCEED EXPEDITIOUSLY TO TUNIS). ADCM TELEPHONED
REPORT ON HIS UNSATISFACTORY EXCHANGE WITH SHU' AYB
TO CHARGE, WHO IN TURN DESCRIBED HIS DEMARCHE TO MFA POLITICAL
AFFAIRS DIRECTOR TRAYKI AS WELL AS BA' BA (REFTEL A). HOLM
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PAGE 02 TRIPOL 00594 02 OF 03 080908 Z

INTERRUPTED CONVERSATION TO ADVISE IMMIGRATION
AUTHORITIES WERE INSISTING COUNTRYMAN HAD TO DEPART
VIA UTA FLIGHT.

6. MARTHINSEN TOLD COUNTRYMAN TO SIT TIGHT, REFUSE TO
LEAVE UNTIL LAR OFFICIAL THREATENED TO EMPLOY FORCE.
ANTICIPATING SHOWDOWN, HE SUGGESTED THAT HOLM AND
BIN SRETI VIEW DEVELOPMENTS FROM AFAR LEST THEY BE
INVOLVED. IMMIGRATION OFFICIAL REITERATED DEMAND
COUNTRYMAN BOARD UTA FLIGHT. COUNTRYMAN, AS AGREED,
REFUSED. OFFICIAL PLEADED HE DEPART THEN DEMANDED ADCM

LEAVE AREA. MARTHINSEN RESPONDED COUNTRYMAN REFUSED TO DEPART, EMBASSY WAS IN TOUCH WITH MFA. THERE WAS NO NEED FOR HIM TO LEAVE PRIOR TO RESOLUTION HIS COLLEAGUE'S PROBLEM. OFFICIAL WITHDREW ONLY TO RETURN TO ASK ADCM TO GO SHU' AYB' S OFFICE. COUNTRYMAN ACCOMPANIED.

7. EVENTS MOVED SWIFTLY WHEN ADCM AND COUNTRYMAN ENTERED SHU' AYB' S OFFICE. SHU' AYB IGNORED MARTHINSEN'S EFFORTS RESUME DISCUSSION OF IMBROGLIO, SHOUTED ORDERS TO TWO MP' S TO " PUT" BOTH OFFICERS ON PLANE. MP' S PUSHED ADCM TOWARD DOOR THEN GRASPED BOTH HIS ARMS FIRMLY AND PROPELLED HIM OUT OF OFFICE ONTO TARMAC, RESPONDING TO HIS REPEATED DEMANDS THEY TAKE THEIR HANDS OFF WITH LACONIC " SHUT UP". IN THIS FASHION ADCM WAS FORCED TO WALK TO AIRCRAFT. COUNTRYMAN ACCOMPANIED TO PLANE. DOZENS OF EYEWITNESSES INCLUDING HOLM, BIN SRETI, AND PROBABLY D' ARAGON WITNESSED INCIDENT.

8. HUSTLED ABOARD PLANE, MARTHINSEN AND COUNTRYMAN DISCOVERED SHU' AYB BEHIND THEM. HE ORDERED MP' S TO STAY WITH THEM UNTIL PLANE TOOK OFF. MARTHINSEN PROTESTED ASSAULT. SHU' AYB REPLIED HE DIDN' T WANT TO TALK WITH ADCM. THEN ASKED WHY MARTHINSEN HAD PRECIPITATED PROBLEM. MARTHINSEN REPLIED HE HAD EXPECTED RESUME CONVERSATION, HAD EXPECTED REASON, HAD NOT EXPECTED SHU' AYB WOULD RESORT TO VIOLENCE WHICH PROVED NOTHING. HE CHARGED SHU' AYB HAD MIND CLOSED TO REASON AND LOGIC. SHU' AYB SAID MARTHINSEN HAD IGNORED ORDERS TO DEPART AND HAD CAUSED INCIDENT.
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PAGE 03 TRIPOL 00594 02 OF 03 080908 Z

MARTHINSEN PROTESTED SHU' AYB' S RESORT TO VIOLENCE.
ETC.

9. SHU' AYB WENT OUT OF AIRCRAFT LEAVING ARMED MP' S FLANKING EMBOFFS. ADCM SUGGESTED TO SOLICITOUS UTA CREW MEMBER HE PURSUE SHU' AYB, EXPLAIN MARTHINSEN HAD NO PASSPORT, AND SUGGEST ALTERNATIVE RESOLUTION WOULD BE TIDIER (UTA PERSONNEL, SHAKEN BY EVENTS, COULD NOT HAVE BEEN MORE COURTEOUS). CREWMAN APPARENTLY GOT MESSAGE ACROSS. SHU' AYB RETURNED, DEMANDED OF SUBORDINATES WHETHER TIA COULDN' T PRODUCE DOCUMENTATION; THEY REPLIED AFTER SOME CONSULTATIONS IN NEGATIVE. SHU' AYB DEMANDED IF MARTHINSEN HAD IDENTIFICATION WITH HIM. MARTHINSEN REPLIED HE CARRIED ONLY LARG ID CARD IN ARABIC. THOROUGHLY VEXED, SHU' AYB LEFT BUT ORDERED SUBORDINATE TO ESCORT ADCM BACK TO IMMIGRATION. MP ACCOMPANIED. AT TERMINAL MARTHINSEN REQUESTED HE BE PERMITTED TELEPHONE EMBASSY. SUBORDINATE REFUSED. ADCM HAD PRIVATE, UNPRODUCTIVE GO- AROUND WITH SUBORDINATE

RE PASSPORTS PROBLEM. AFTERWARDS, ADCM WAS ESCORTED ONCE AGAIN TO SHU' AYB' S OFFICE.

10. SHU' AYB ORDERED SIX OR SEVEN MP' S TO LEAVE. MARTHINSEN AND SHU' AYB THEN HAD LENGTHY CONVERSATION -- BIZARRE IN THE EXTREME CONSIDERING THE CIRCUMSTANCES. SHU' AYB MADE FOLLOWING POINTS: (A) HE HAD ORDERS WHICH HE, AS MILITARY MAN, WOULD CARRY OUT REGARDLESS OF WHO WAS INVOLVED, " US AMBASSADOR, AMERICAN CHARGE, ADCM, OR LOWEST RANKING OFFICER". (B) PASSPORTS MUST BE ARABIZED, EXCEPT FOR FIVE CATEGORIES EXEMPTED, PERSONS WHO HAVE SPECIAL, SIGNED EXEMPTIONS, OR CITIZENS OF NIGER, MALTA, AND CHAD WHICH HAVE AGREED INSERT ARABIC IN PASSPORTS (N. B. DURING COURSE TELECON WITH BENGHAZI COLLEAGUE, ONE OF MANY CALLS THAT INTERRUPTED THIS " DISCUSSION", SHU' AYB SAID, SPEAKING OF MALTESE SPECIFICALLY BUT, BY IMPLICATION OF CHADIANS AND NIGERIANS ALSO, THAT GOM IS MAKING ARABIC INSERTS AS " TEMPORARY MEASURE" PENDING ISSUANCE BY GOM OF PASSPORTS WITH PRINTING IN ARABIC). (C) HE HAS ORDER, SIGNED BY RCC MEMBER QIRAWI (HE SHOWED ADCM COPY OF EXEMPTIONS LIST) WHO IS THE CHARGE THIS
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PAGE 04 TRIPOL 00594 02 OF 03 080908 Z

MATTER, TO ENFORCE LAWS. (D) ADCM SHOULD APPRECIATE HE (SHU' AYB) WILL CARRY OUT ORDERS USING FORCE IF NECESSARY. (E) MARTHINSEN SHOULD REALIZE HE IS NOT IN US OR IN US EMBASSY; HE MUST OBEY ORDERS. (F) LARG IS NOT DISCRIMINATING AGAINST ANY NATIONALITY. FRENCH ARE GUESTS OF STATE AND, BESIDES, HE HAD WRITTEN ORDERS TO ADMIT FRENCH AMBASSADOR AND HIS COLLEAGUES. (G) HE REGRETTED INCIDENT WITH ADCM WHOM HE HAD MET BEFORE AND " PREVIOUSLY RESPECTED" (ADCM HAD PACED IMMIGRATION AREA TALKING WITH SHU' AYB FOR ABOUT TWO HOURS LAST JANUARY DURING RUN- IN RE DENIAL OF ENTRY TO COURIER).
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PAGE 01 TRIPOL 00594 03 OF 03 080911 Z

14
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SCA-01 USIE-00 OC-06 CCO-00 CPR-02 VO-03 RSR-01 /132 W
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O P 071409 Z MAY 73

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC IMMEDIATE 0035

INFO AMEMBASSY PARIS PRIORITY

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USMISSION NATO PRIORITY

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C O N F I D E N T I A L SECTION 3 OF 3 TRIPOLI 0594

C O R R E C T E D C O P Y (NUMBERING OF PARA.' S & PARA. 14)

DEPARTMENT PASS OTHER POSTS AS DESIRED

11. MARTHINSEN RESPONDED (A) HE HAD SEEN CLEAR EVIDENCE OF DISCRIMINATION ON PART LARG AUTHORITIES. (B) HE INDIGNANT THAT SHU' AYB HAD PERMITTED, INDEED, ORDERED MANHANDLING OF DIPLOMAT WHOM HE SHOULD INSTEAD ASSIST AND PROTECT.(C) HE CONTRASTED INFORMATION CHARGE HAD RECEIVED FROM MFA -- EMBASSY' S SOLE CONDUIT TO SHU' AYB' S GOVERNMENT AT ITS OWN REQUEST -- WITH SHU' AYB' S ORDERS AND ASKED WHY SHU' AYB HAD REFUSED CONTACT MFA OR HIS SUPERIORS TO SORT OUT EVIDENT DISCREPANCY. (D) HE OBSERVED THAT RESORT TO FORCE VIOLATED INTERNATIONAL LAW AND SERVED ONLY TO END POSSIBILITY OF DIALOGUE BETWEEN RATIONAL MEN.

12. DURING ABOVE EXCHANGE SHU' AYB' S MANNER SUGGESTED HE REGRETTED HIS EARLIER RAGE THOUGH POSSIBILITY HE STAGED WHOLE AFFAIR FOR EFFECT COULD NOT BE DISCOUNTED.
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PAGE 02 TRIPOL 00594 03 OF 03 080911 Z

HE HAD CALMED DOWN, EVEN OFFERED WATER TO ADCM. THEN SHU' AYB TOOK OFF ON FAMILIAR ISLAMIC- ARABIC- REVOLUTIONARY TANGENTS; UN IS NOT USEFUL FORUM IN WHICH TO ADVANCE LIBYAN DEMAND ARABIC BE ACCORDED WORLD RECOGNITION; UN CANNOT ENFORCE ANY OF ITS (ME) RESOLUTIONS; LARG IS FREE, WILL DO AS IT WISHES " EVEN IF U. S. SHOULD INVADE"; HE CARES NOTHING FOR DIPLOMATIC PRACTICES; ORDERS MUST BE OBEYED BY ALL, ETC., ETC., ETC. ADCM BATTED BACK THESE " IDEAS " A BIT. SOMETIME DURING THIS EXCHANGE, OR PERHAPS EARLIER, UTA FLIGHT WITH COUNTRYMAN ABOARD TOOK OFF.

13. FINALLY, AT ABOUT 1530 Z SHU' AYB OBSERVED HE

PLANNED REPORT TO SUPERIORS HE HAD HAD " DISAGREEMENT"
WITH AMERICAN ADCM WHO REFUSED OBEY ORDERS, BUT ORDERS
HAD BEEN CARRIED OUT. MARTHINSEN SAID HE NATURALLY
WOULD SUBMIT FULLEST REPORT TO HIS GOVERNMENT. SHU' AYB
SAID MARTHINSEN " HAD PERMISSION" TO RETURN TO EMBASSY.

14. COMMENT: THIS BRUSH WITH FORCE UNDERSCORES WHAT
APPEARS TO BE TREND ON PART LARG TO RESORT MORE READILY

TO VIOLENCE TO ACHIEVE ITS ENDS. RECENT BLOODY INCIDENT
AT TARHUNA CAMP, NUMEROUS REPORTS OF JAILINGS AND
BEATINGS IN LAST FEW WEEKS, AND NOW OUTRAGEOUS ASSAULT
ON ADCM AT TIA COULD HAVE OMINOUS IMPLICATIONS FOR
AMERICANS AND OTHER EXPATRIATES. NOT ONLY IS DIPLOMATIC
PRACTICE IGNORED BUT ALSO TRADITIONAL LEGAL SAFEGUARDS
ARE SUBJECT TO CONSTANT EROSION.

THIRD REBUFF TO COUNTRYMAN, IN OUR VIEW, CAN
ONLY BE INTERPRETED AS DE FACTO FINDING HE PERSONA
NON GRATA TO LARG. ONLY IF WE RECEIVE LARG
APOLOGY AND FULLEST ASSURANCES SHOULD HE ATTEMPT RETURN HERE.
WE SHOULD TRY FOR THAT, BUT ARE NOT SANGUINE OF OUTCOME.

IN OUR VIEW, INCIDENTS INVOLVING COUNTRYMAN AND
MARTHINSEN CAN AND SHOULD BE EXPLOITED IN NATO TO
STIFFEN ALLIED RESOLVE. APPARENT FACT THAT MINOR, CLIENT
POWERS HAVE APPARENTLY AGREED TO EVENTUAL PRINTING

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PAGE 03 TRIPOL 00594 03 OF 03 080911 Z

REPEAT PRINTING OF PASSPORTS IN ARABIC (MATTER WE
INTEND TO PIN DOWN ASAP) IS MAJOR TALKING POINT IN
THIS CONNECTION. SOLID US- WEST EUROPEAN FRONT
(HOPEFULLY INCLUDING FRENCH) IS ESSENTIAL NOW IF THERE
IS HOPE OF FORCING QADHAFI REGIME TO ACCORD TO OTHERS
HONOR, DIGNITY AND PRINCIPLE, AND NATIONAL SOVEREIGNTY WHICH
IT CLAIMS FOR ITSELF.

ACTION REQUESTED: DEPARTMENT' S VIEWS ON INCIDENTS AND
OUR PLANS TO SEEK REMEDY, PLUS GUIDANCE WOULD BE
APPRECIATED SOONEST.
JOSIF

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*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL
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PAGE 01 TRIPOL 00594 01 OF 03 071459 Z

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C O N F I D E N T I A L SECTION 1 OF 3 TRIPOLI 0594

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SHU' AYB: NO, I WILL NOT CALL. I HAVE CLEAR ORDERS.

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PAGE 01 TRIPOL 00594 02 OF 03 080908 Z

14
ACTION AF-18

INFO OCT-01 EUR-25 ADP-00 SSO-00 INRE-00 NSCE-00 CIAE-00

DODE-00 PM-09 H-02 INR-10 L-03 NSAE-00 NSC-10 PA-03

RSC-01 PRS-01 SS-15 PER-05 SY-10 M-03 A-01 PPT-02

SCA-01 USIE-00 OC-06 CCO-00 CPR-02 VO-03 RSR-01 /132 W

----- 002225

O P 071409 Z MAY 73

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC IMMEDIATE 0034

INFO AMEMBASSY PARIS PRIORITY

AMEMBASSY TUNIS PRIORITY

USMISSION NATO PRIORITY

AMEMBASSY VALLETTA PRIORITY

C O N F I D E N T I A L SECTION 2 OF 3 TRIPOLI 0594

C O R R E C T E D C O P Y (N U M B E R I N G O F P A R A . ' S)

DEPARTMENT PASS OTHER POSTS AS DESIRED

5. ETC. FRUITLESS EXCHANGE PETERED OUT AS SHU' AYB
OSTENTATIOUSLY TURNED TO OTHER PAPER WORK. MEANWHILE
COUNSELOR BLANC HAD LEFT. ADCM ALSO LEFT REMARKING
TO SHU' AYB " WE' LL CONTINUE CONVERSATION LATER." SHU' AYB
GRUNTED, " OK". MARTHINSEN TOUCHED BASE WITH
COUNTRYMAN, HOLM, AND BIN SRETI WHO ALONE REMAINED
IN IMMIGRATION AREA, ALL OF THE OTHER PASSENGERS
HAVING BEEN ADMITTED. ADCM TOLD COUNTRYMAN OF EMBASSY
DECISION THAT HE WAS TO REFUSE TO LEAVE ON UTA PLANE
BECAUSE WE HOPED EITHER DEMARCHES WITH MFA MIGHT HAVE
EFFECT OR, AS A FALLBACK, HIS DEPARTURE MIGHT BE
DELAYED TILL LATER FLIGHT (TO MALTA FROM WHERE HE COULD
PROCEED EXPEDITIOUSLY TO TUNIS). ADCM TELEPHONED
REPORT ON HIS UNSATISFACTORY EXCHANGE WITH SHU' AYB
TO CHARGE, WHO IN TURN DESCRIBED HIS DEMARCHE TO MFA POLITICAL
AFFAIRS DIRECTOR TRAYKI AS WELL AS BA' BA (REFTEL A). HOLM
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PAGE 02 TRIPOL 00594 02 OF 03 080908 Z

INTERRUPTED CONVERSATION TO ADVISE IMMIGRATION
AUTHORITIES WERE INSISTING COUNTRYMAN HAD TO DEPART
VIA UTA FLIGHT.

6. MARTHINSEN TOLD COUNTRYMAN TO SIT TIGHT, REFUSE TO
LEAVE UNTIL LAR OFFICIAL THREATENED TO EMPLOY FORCE.
ANTICIPATING SHOWDOWN, HE SUGGESTED THAT HOLM AND
BIN SRETI VIEW DEVELOPMENTS FROM AFAR LEST THEY BE
INVOLVED. IMMIGRATION OFFICIAL REITERATED DEMAND
COUNTRYMAN BOARD UTA FLIGHT. COUNTRYMAN, AS AGREED,

REFUSED. OFFICIAL PLEADED HE DEPART THEN DEMANDED ADCM LEAVE AREA. MARTHINSEN RESPONDED COUNTRYMAN REFUSED TO DEPART, EMBASSY WAS IN TOUCH WITH MFA. THERE WAS NO NEED FOR HIM TO LEAVE PRIOR TO RESOLUTION HIS COLLEAGUE'S PROBLEM. OFFICIAL WITHDREW ONLY TO RETURN TO ASK ADCM TO GO SHU' AYB' S OFFICE. COUNTRYMAN ACCOMPANIED.

7. EVENTS MOVED SWIFTLY WHEN ADCM AND COUNTRYMAN ENTERED SHU' AYB' S OFFICE. SHU' AYB IGNORED MARTHINSEN'S EFFORTS RESUME DISCUSSION OF IMBROGLIO, SHOUTED ORDERS TO TWO MP' S TO " PUT" BOTH OFFICERS ON PLANE. MP' S PUSHED ADCM TOWARD DOOR THEN GRASPED BOTH HIS ARMS FIRMLY AND PROPELLED HIM OUT OF OFFICE ONTO TARMAC, RESPONDING TO HIS REPEATED DEMANDS THEY TAKE THEIR HANDS OFF WITH LACONIC " SHUT UP". IN THIS FASHION ADCM WAS FORCED TO WALK TO AIRCRAFT. COUNTRYMAN ACCOMPANIED TO PLANE. DOZENS OF EYEWITNESSES INCLUDING HOLM, BIN SRETI, AND PROBABLY D' ARAGON WITNESSED INCIDENT.

8. HUSTLED ABOARD PLANE, MARTHINSEN AND COUNTRYMAN DISCOVERED SHU' AYB BEHIND THEM. HE ORDERED MP' S TO STAY WITH THEM UNTIL PLANE TOOK OFF. MARTHINSEN PROTESTED ASSAULT. SHU' AYB REPLIED HE DIDN' T WANT TO TALK WITH ADCM. THEN ASKED WHY MARTHINSEN HAD PRECIPITATED PROBLEM. MARTHINSEN REPLIED HE HAD EXPECTED RESUME CONVERSATION, HAD EXPECTED REASON, HAD NOT EXPECTED SHU' AYB WOULD RESORT TO VIOLENCE WHICH PROVED NOTHING. HE CHARGED SHU' AYB HAD MIND CLOSED TO REASON AND LOGIC. SHU' AYB SAID MARTHINSEN HAD IGNORED ORDERS TO DEPART AND HAD CAUSED INCIDENT.
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PAGE 03 TRIPOL 00594 02 OF 03 080908 Z

MARTHINSEN PROTESTED SHU' AYB' S RESORT TO VIOLENCE.
ETC.

9. SHU' AYB WENT OUT OF AIRCRAFT LEAVING ARMED MP' S FLANKING EMBOFFS. ADCM SUGGESTED TO SOLICITOUS UTA CREW MEMBER HE PURSUE SHU' AYB, EXPLAIN MARTHINSEN HAD NO PASSPORT, AND SUGGEST ALTERNATIVE RESOLUTION WOULD BE TIDIER (UTA PERSONNEL, SHAKEN BY EVENTS, COULD NOT HAVE BEEN MORE COURTEOUS). CREWMAN APPARENTLY GOT MESSAGE ACROSS. SHU' AYB RETURNED, DEMANDED OF SUBORDINATES WHETHER TIA COULDN' T PRODUCE DOCUMENTATION; THEY REPLIED AFTER SOME CONSULTATIONS IN NEGATIVE. SHU' AYB DEMANDED IF MARTHINSEN HAD IDENTIFICATION WITH HIM. MARTHINSEN REPLIED HE CARRIED ONLY LARG ID CARD IN ARABIC. THOROUGHLY VEXED, SHU' AYB LEFT BUT ORDERED SUBORDINATE TO ESCORT ADCM BACK TO IMMIGRATION. MP ACCOMPANIED. AT TERMINAL MARTHINSEN REQUESTED HE BE PERMITTED TELEPHONE EMBASSY. SUBORDINATE REFUSED. ADCM

HAD PRIVATE, UNPRODUCTIVE GO- AROUND WITH SUBORDINATE
RE PASSPORTS PROBLEM. AFTERWARDS, ADCM WAS ESCORTED ONCE
AGAIN TO SHU' AYB' S OFFICE.

10. SHU' AYB ORDERED SIX OR SEVEN MP' S TO LEAVE.
MARTHINSEN AND SHU' AYB THEN HAD LENGTHY CONVERSATION --
BIZARRE IN THE EXTREME CONSIDERING THE CIRCUMSTANCES.
SHU' AYB MADE FOLLOWING POINTS: (A) HE HAD ORDERS WHICH
HE, AS MILITARY MAN, WOULD CARRY OUT REGARDLESS OF
WHO WAS INVOLVED, " US AMBASSADOR, AMERICAN CHARGE,
ADCM, OR LOWEST RANKING OFFICER". (B)
PASSPORTS MUST BE ARABIZED, EXCEPT FOR FIVE CATEGORIES
EXEMPTED, PERSONS WHO HAVE SPECIAL, SIGNED EXEMPTIONS,
OR CITIZENS OF NIGER, MALTA, AND CHAD WHICH HAVE
AGREED INSERT ARABIC IN PASSPORTS (N. B. DURING COURSE
TELECON WITH BENGHAZI COLLEAGUE, ONE OF MANY CALLS
THAT INTERRUPTED THIS " DISCUSSION", SHU' AYB SAID,
SPEAKING OF MALTESE SPECIFICALLY BUT, BY IMPLICATION
OF CHADIANS AND NIGERIANS ALSO, THAT GOM IS MAKING
ARABIC INSERTS AS " TEMPORARY MEASURE" PENDING ISSUANCE
BY GOM OF PASSPORTS WITH PRINTING IN ARABIC). (C) HE
HAS ORDER, SIGNED BY RCC MEMBER QIRAWI (HE SHOWED
ADCM COPY OF EXEMPTIONS LIST) WHO IS THE CHARGE THIS
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PAGE 04 TRIPOL 00594 02 OF 03 080908 Z

MATTER, TO ENFORCE LAWS. (D) ADCM SHOULD APPRECIATE
HE (SHU' AYB) WILL CARRY OUT ORDERS USING FORCE IF
NECESSARY. (E) MARTHINSEN SHOULD REALIZE HE IS NOT
IN US OR IN US EMBASSY; HE MUST OBEY ORDERS. (F) LARG
IS NOT DISCRIMINATING AGAINST ANY NATIONALITY. FRENCH
ARE GUESTS OF STATE AND, BESIDES, HE HAD WRITTEN ORDERS
TO ADMIT FRENCH AMBASSADOR AND HIS COLLEAGUES. (G) HE
REGRETTED INCIDENT WITH ADCM WHOM HE HAD MET BEFORE
AND " PREVIOUSLY RESPECTED" (ADCM HAD PACED IMMIGRATION
AREA TALKING WITH SHU' AYB FOR ABOUT TWO HOURS LAST
JANUARY DURING RUN- IN RE DENIAL OF ENTRY TO COURIER).
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PAGE 01 TRIPOL 00594 03 OF 03 080911 Z

14
ACTION AF-18

INFO OCT-01 EUR-25 ADP-00 SSO-00 INRE-00 NSCE-00 CIAE-00

DODE-00 PM-09 H-02 INR-10 L-03 NSAE-00 NSC-10 PA-03

RSC-01 PRS-01 SS-15 PER-05 SY-10 M-03 A-01 PPT-02

SCA-01 USIE-00 OC-06 CCO-00 CPR-02 VO-03 RSR-01 /132 W
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O P 071409 Z MAY 73

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC IMMEDIATE 0035

INFO AMEMBASSY PARIS PRIORITY

AMEMBASSY TUNIS PRIORITY

USMISSION NATO PRIORITY

AMEMBASSY VALLETTA PRIORITY

C O N F I D E N T I A L SECTION 3 OF 3 TRIPOLI 0594

C O R R E C T E D C O P Y (NUMBERING OF PARA.' S & PARA. 14)

DEPARTMENT PASS OTHER POSTS AS DESIRED

11. MARTHINSEN RESPONDED (A) HE HAD SEEN CLEAR EVIDENCE OF DISCRIMINATION ON PART LARG AUTHORITIES. (B) HE INDIGNANT THAT SHU' AYB HAD PERMITTED, INDEED, ORDERED MANHANDLING OF DIPLOMAT WHOM HE SHOULD INSTEAD ASSIST AND PROTECT.(C) HE CONTRASTED INFORMATION CHARGE HAD RECEIVED FROM MFA -- EMBASSY' S SOLE CONDUIT TO SHU' AYB' S GOVERNMENT AT ITS OWN REQUEST -- WITH SHU' AYB' S ORDERS AND ASKED WHY SHU' AYB HAD REFUSED CONTACT MFA OR HIS SUPERIORS TO SORT OUT EVIDENT DISCREPANCY. (D) HE OBSERVED THAT RESORT TO FORCE VIOLATED INTERNATIONAL LAW AND SERVED ONLY TO END POSSIBILITY OF DIALOGUE BETWEEN RATIONAL MEN.

12. DURING ABOVE EXCHANGE SHU' AYB' S MANNER SUGGESTED HE REGRETTED HIS EARLIER RAGE THOUGH POSSIBILITY HE STAGED WHOLE AFFAIR FOR EFFECT COULD NOT BE DISCOUNTED.
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PAGE 02 TRIPOL 00594 03 OF 03 080911 Z

HE HAD CALMED DOWN, EVEN OFFERED WATER TO ADCM. THEN SHU' AYB TOOK OFF ON FAMILIAR ISLAMIC- ARABIC- REVOLUTIONARY TANGENTS; UN IS NOT USEFUL FORUM IN WHICH TO ADVANCE LIBYAN DEMAND ARABIC BE ACCORDED WORLD RECOGNITION; UN CANNOT ENFORCE ANY OF ITS (ME) RESOLUTIONS; LARG IS FREE, WILL DO AS IT WISHES " EVEN IF U. S. SHOULD INVADE"; HE CARES NOTHING FOR DIPLOMATIC PRACTICES; ORDERS MUST BE OBEYED BY ALL, ETC., ETC., ETC. ADCM BATTED BACK THESE " IDEAS " A BIT. SOMETIME DURING THIS EXCHANGE, OR PERHAPS EARLIER, UTA FLIGHT WITH COUNTRYMAN ABOARD TOOK OFF.

13. FINALLY, AT ABOUT 1530 Z SHU' AYB OBSERVED HE PLANNED REPORT TO SUPERIORS HE HAD HAD " DISAGREEMENT" WITH AMERICAN ADCM WHO REFUSED OBEY ORDERS, BUT ORDERS HAD BEEN CARRIED OUT. MARTHINSEN SAID HE NATURALLY WOULD SUBMIT FULLEST REPORT TO HIS GOVERNMENT. SHU' AYB SAID MARTHINSEN " HAD PERMISSION" TO RETURN TO EMBASSY.

14. COMMENT: THIS BRUSH WITH FORCE UNDERSCORES WHAT APPEARS TO BE TREND ON PART LARG TO RESORT MORE READILY

TO VIOLENCE TO ACHIEVE ITS ENDS. RECENT BLOODY INCIDENT AT TARHUNA CAMP, NUMEROUS REPORTS OF JAILINGS AND BEATINGS IN LAST FEW WEEKS, AND NOW OUTRAGEOUS ASSAULT ON ADCM AT TIA COULD HAVE OMINOUS IMPLICATIONS FOR AMERICANS AND OTHER EXPATRIATES. NOT ONLY IS DIPLOMATIC PRACTICE IGNORED BUT ALSO TRADITIONAL LEGAL SAFEGUARDS ARE SUBJECT TO CONSTANT EROSION.

THIRD REBUFF TO COUNTRYMAN, IN OUR VIEW, CAN ONLY BE INTERPRETED AS DE FACTO FINDING HE PERSONA NON GRATA TO LARG. ONLY IF WE RECEIVE LARG APOLOGY AND FULLEST ASSURANCES SHOULD HE ATTEMPT RETURN HERE. WE SHOULD TRY FOR THAT, BUT ARE NOT SANGUINE OF OUTCOME.

IN OUR VIEW, INCIDENTS INVOLVING COUNTRYMAN AND MARTHINSEN CAN AND SHOULD BE EXPLOITED IN NATO TO STIFFEN ALLIED RESOLVE. APPARENT FACT THAT MINOR, CLIENT POWERS HAVE APPARENTLY AGREED TO EVENTUAL PRINTING

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PAGE 03 TRIPOL 00594 03 OF 03 080911 Z

REPEAT PRINTING OF PASSPORTS IN ARABIC (MATTER WE INTEND TO PIN DOWN ASAP) IS MAJOR TALKING POINT IN THIS CONNECTION. SOLID US- WEST EUROPEAN FRONT (HOPEFULLY INCLUDING FRENCH) IS ESSENTIAL NOW IF THERE IS HOPE OF FORCING QADHAFI REGIME TO ACCORD TO OTHERS HONOR, DIGNITY AND PRINCIPLE, AND NATIONAL SOVEREIGNTY WHICH IT CLAIMS FOR ITSELF.

ACTION REQUESTED: DEPARTMENT' S VIEWS ON INCIDENTS AND OUR PLANS TO SEEK REMEDY, PLUS GUIDANCE WOULD BE APPRECIATED SOONEST.
JOSIF

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

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